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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/699,798	10/30/2000	Timothy J. Smith	HAYSCHR.002A	8714

20995 7590 10/17/2005

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EXAMINER	
CAMPBELL, JOSHUA D	
ART UNIT	**PAPER NUMBER**
2178	

DATE MAILED: 10/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/699,798	SMITH ET AL.	
	Examiner	Art Unit	
	Joshua D. Campbell	2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *04 August 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-18,20,21,23 and 31-41* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-18,20,21,23 and 31-41* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to communications: Request for continued examination filed on 08/04/2005.

2. Claims 1-18, 20-21, 23, and 31-41 are pending in this case. Claims 1, 9, 17, 21, 31, and 32 are independent claims. Claims 1, 2, 4, 5, 7, 9, 10, 12, 13, 15, 17, 18, 20, 21, 23, 31, and 32 have been amended. Claim 41 has been newly added.

3. The rejection of claims 1-16, 31-33, 35-36, and 38-40 under 35 U.S.C. 102(e) as being anticipated by Gutfreund et al. (hereinafter Gutfreund, US Patent Number 6,665,835, filed on December 23, 1997) has been withdrawn due to amendments.

4. The rejection of claims 17-18, 20-21, 23 and 34 under 35 U.S.C. 103(a) as being unpatentable over Gutfreund et al. (hereinafter Gutfreund, US Patent Number 6,665,835, filed on December 23, 1997) in view of Srinivasan et al. (hereinafter Srinivasan, US Patent Number 6,357,042, filed on January 22, 1999) has been withdrawn due to amendments.

5. The rejection of claim 37 under 35 U.S.C. 103(a) as being unpatentable over Gutfreund et al. (hereinafter Gutfreund, US Patent Number 6,665,835, filed on December 23, 1997) in view of Microsoft Press (hereinafter Microsoft, Microsoft Press Computer Dictionary, published in 1997) has been withdrawn due to amendments.

Claim Rejections - 35 USC § 103

6. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

7. Claims 1-18, 20-21, 23, 31-36, and 39-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gutfreund et al. (hereinafter Gutfreund, US Patent Number 6,665,835, filed on December 23, 1997) in view of Purnaveja et al. (hereinafter Purnaveja, US Patent Number 6,006,241, issued December 21, 1999).

Regarding independent claim 1, Gutfreund discloses a method in which a multimedia file is received and slides or notes pertaining to the multimedia file are also received (column 2, line 37-column 3, line 3 of Gutfreund). A user watches this multimedia file and adds a timestamp, which corresponds to a time when a static file object (notes or slides) will be presented (column 2, line 37-column 3, line 3 of Gutfreund). Gutfreund also discloses that the time markers are stored in a file external to the streaming media file, which associate the streaming media file with the static media file based on time markers (column 2, lines 37-51 of Gutfreund). Even after the creation of the output file (ASF file), the streaming media file (AVI) and the time log file remain stored separately (column 5, lines 20-55 of Gutfreund). Gutfreund does not disclose a method in which the static media file and the streaming media file are transmitted to the client separately and then dynamically synchronizes the file during presentation. However, Purnaveja discloses a method in which the annotation data and the streaming media are transmitted to the client separately and synchronized during display dynamically (column 2, line 35-column 3, line 25 of Purnaveja). It would have been obvious to one of ordinary skill in the art at the time the invention was made to

have combined the methods of Gutfreund and Purnaveja because it would have allowed the annotation and media streams to be stored on different servers, thus decreasing transmission load on the servers.

Regarding dependent claim 2, Gutfreund discloses that a user watches this multimedia file and adds a timestamp, which corresponds to a time when a static file object (notes or slides) will be presented (column 2, line 37-column 3, line 3 of Gutfreund). The final multimedia presentation that is created is one file that has embedded timestamps that link to the associated files that will be shown at that time (column 2, line 37-column 3, line 3 of Gutfreund).

Regarding dependent claim 3, Gutfreund discloses that timestamps defined by a user input are based on the time as compared to the time the presentation was started to the amount of the presentation (in time) has been viewed (column 5, lines 20-55 and Figure 6 of Gutfreund).

Regarding dependent claim 4, Gutfreund discloses that timestamps defined by a user input are based on the time as compared to the time the presentation was started to the amount of the presentation (in time) has been viewed (column 5, lines 20-55 and Figure 6 of Gutfreund).

Regarding dependent claim 5, Gutfreund discloses that the final multimedia presentation that is created is one file that has embedded timestamps that link to the associated files that will be shown at that time and is viewed as a streaming output (column 2, line 37-column 3, line 3 of Gutfreund).

Regarding dependent claims 6 and 8, Gutfreund discloses a method in which a multimedia file (video file that contains audio) is received and slides or notes (pictures or text) pertaining to the multimedia file are also received (column 2, line 37-column 3, line 3 of Gutfreund).

Regarding dependent claim 7, Gutfreund discloses that the final multimedia presentation that is created is one file that has embedded timestamps that link to the associated files that will be shown at that time and is viewed as a streaming output (column 2, line 37-column 3, line 3 of Gutfreund).

Regarding independent claim 9 and dependent claims 10-16, the claims incorporate substantially similar subject matter as claims 1-8. Thus the claims are rejected along the same rationale as claims 1-8.

Regarding independent claim 17, Gutfreund discloses a method in which a multimedia file is received and slides or notes pertaining to the multimedia file are also received (column 2, line 37-column 3, line 3 of Gutfreund). A user watches this multimedia file and adds a timestamp, which corresponds to a time when a static file object (notes or slides) will be presented (column 2, line 37-column 3, line 3 of Gutfreund). Gutfreund also discloses that the time markers are stored in a file external to the streaming media file, which associate the streaming media file with the static media file based on time markers (column 2, lines 37-51 of Gutfreund). Even after the creation of the output file (ASF file), the streaming media file (AVI) and the time log file remain stored separately (column 5, lines 20-55 of Gutfreund). Gutfreund does not disclose a method in which the static media file and the streaming media file are

transmitted to the client separately and then dynamically synchronizes the file during presentation. However, Purnaveja discloses a method in which the annotation data and the streaming media are transmitted to the client separately and synchronized during display dynamically (column 2, line 35-column 3, line 25 of Purnaveja). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the methods of Gutfreund and Purnaveja because it would have allowed the annotation and media streams to be stored on different servers, thus decreasing transmission load on the servers.

Regarding dependent claim 18, Gutfreund discloses that a user watches this multimedia file and adds a timestamp, which corresponds to a time when a static file object (notes or slides) will be presented (column 2, line 37-column 3, line 3 of Gutfreund). The final multimedia presentation that is created is one file that has embedded timestamps that link to the associated files that will be shown at that time (column 2, line 37-column 3, line 3 of Gutfreund).

Regarding dependent claim 20, Gutfreund discloses that the final multimedia presentation that is created is one file that has embedded timestamps that link to the associated files that will be shown at that time and is viewed as a streaming output (column 2, line 37-column 3, line 3 of Gutfreund).

Regarding independent claim 21 and dependent claims 23, the claims incorporate substantially similar subject matter as claims 17-18. Thus, the claims are rejected along the same rationale as claims 17-18.

Regarding independent claim 31, Gutfreund discloses a method in which a multimedia file is received and slides or notes pertaining to the multimedia file are also received (column 2, line 37-column 3, line 3 of Gutfreund). A user watches this multimedia file and adds a timestamp, which corresponds to a time when a static file object (notes or slides) will be presented (column 2, line 37-column 3, line 3 of Gutfreund). Gutfreund also discloses that the time markers are stored in a file external to the streaming media file, which associate the streaming media file with the static media file based on time markers (column 2, lines 37-51 of Gutfreund). Even after the creation of the output file (ASF file), the streaming media file (AVI) and the time log file remain stored separately (column 5, lines 20-55 of Gutfreund). Gutfreund discloses a method in which the program is carried out on a computer, which inherently consists of a processor and memory coupled including a storage device, the memory allowing for the storage of multiple data structures (database) (column 2, line 37-column 3, line 3 of Gutfreund). However, Purnaveja discloses a method in which the annotation data and the streaming media are transmitted to the client separately and synchronized during display dynamically (column 2, line 35-column 3, line 25 of Purnaveja). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the methods of Gutfreund and Purnaveja because it would have allowed the annotation and media streams to be stored on different servers, thus decreasing transmission load on the servers.

Regarding independent claim 32, Gutfreund discloses a method in which a static media file and a streaming media file are received (column 2, line 37-column 3,

line 3 of Gutfreund). From these files a synchronization point is generated and stored external to the streaming media file (column 2, line 37-column 3, line 3 of Gutfreund). A content definition (time log file) file is created that associates the static media file with the streaming media file through at least one synchronization point (column 2, lines 37-51 and column 5, lines 20-55 of Gutfreund). The file is then used to present the presentation (column 2, lines 37-57 and column 5, lines 20-55 of Gutfreund). However, Purnaveja discloses a method in which the annotation data and the streaming media are transmitted to the client separately and synchronized during display dynamically (column 2, line 35-column 3, line 25 of Purnaveja). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the methods of Gutfreund and Purnaveja because it would have allowed the annotation and media streams to be stored on different servers, thus decreasing transmission load on the servers.

Regarding dependent claim 33, Gutfreund discloses a method in which the synchronization points consist of time markers (column 2, line 37-column 3, line 3 of Gutfreund).

Regarding dependent claim 34, Gutfreund does not disclose a method in which the time stamp can be based on frames rather than seconds. However, Purnaveja discloses a method in adding static metadata to a streaming media presentation can be accomplished by using a timestamp based on video frames (column 2, line 35-column 3, line 25 of Purnaveja). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the method of Gutfreund with the

frame-based timestamp method of Purnaveja because it would have allowed for a more accurate placement of static events corresponding to the streaming media.

Regarding dependent claims 35 and 36, Gutfreund discloses a method in which the presentation can be stored on local medium or accessed through a network server (column 3, lines 30-59 of Gutfreund).

Regarding dependent claims 39 and 40, Gutfreund discloses a method in which the streaming media file and the static media file can exist in a number of different formats (column 1, lines 43-25 of Gutfreund).

Regarding dependent claim 41, Gutfreund does not explicitly disclose a method in which the media may be stored in a variety of formats and shown a variety of platforms. However, Purnaveja discloses a method in which a variety of media formats and user platforms are supported by the system (column 2, line 35-column 3, line 25 of Purnaveja). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the methods of Gutfreund with the methods of Purnaveja because it would have allowed the system to provide more universal access to presentations.

8. Claim 37 and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gutfreund et al. (hereinafter Gutfreund, US Patent Number 6,665,835, filed on December 23, 1997) in view of Purnaveja et al. (hereinafter Purnaveja, US Patent Number 6,006,241, issued December 21, 1999) further in view of Microsoft Press (hereinafter Microsoft, Microsoft Press Computer Dictionary, published in 1997).

Regarding dependent claim 37, Gutfreund discloses that the final multimedia presentation that is created is one file that has embedded timestamps that link to the associated notes and slides (portions of the original static presentation file that will be shown at that time and is viewed as a streaming output (column 2, line 37-column 3, line 3 of Gutfreund). Neither Gutfreund nor Purnaveja disclose a method in which the notes and slides (transcript) are used to produce a markup file. Microsoft discloses that markup languages are used to format electronic documents in forms of desktop publishing, such as using HTML or SGML, it was well known at the time the invention was made that XML was another markup language used for formatting. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have presented the notes and slides of Gutfreund using a markup language, such as XML, because it would have provided a device-independent format to present the electronic document.

Regarding dependent claim 38, Gutfreund discloses a method in which access is provided to both the streaming media file and the static media file in the definition file, which includes synchronization points to coordinate the two files (column 2, line 37-column 3, line 3 of Gutfreund).

Response to Arguments

9. Applicant's arguments with respect to claims 1-18, 20-21, 23, and 31-41 have been considered but are moot in view of the new ground(s) of rejection. The amended limitations are obvious additions in view of the teachings of Purnaveja.

Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua D. Campbell whose telephone number is (571) 272-4133. The examiner can normally be reached on M-F (7:30 AM - 4:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JDC
October 7, 2005

William L. Bashore
WILLIAM BASHORE
PRIMARY EXAMINER
10/12/2005